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AN
IMPARTIAL REVIEW
OF THE
PRESENT GREAT QUESTION:

JANUARY 3, 1789.

Great Lords, wise men ne'er sit, and wail this loss,
But chearly seek how to redrefs their harms.
What tho' the MAST be now blown overboard,
The *cable* broke, our holding *anchor* lost?
Yet lives our PILOT still: Is't meet, that he
Should *leave the helm*, and, like a fearful lad,
With tearful eyes add water to the sea,
While, in his moan, the *ship splits on the rock*,
Which industry and courage might have saved?
SHAKESPEARE, 3d Part of Henry VI.

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IMPARTIAL REVIEW,

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IN the contests of ambition, and struggles of political parties, the mind becomes heated, the passions inflamed, and reason overpowered by tumult and agitation.—
The man of the greatest firmness is scarce proof against the torrent of prejudice, and the man of the greatest wisdom generally finds it easier to follow the tide of party than to exercise his own faculties in the investigation of truth. A by-stander of a moderate capacity is, on those occasions,

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more likely to form a just judgement on the subject under consideration than much abler heads who are actors on the scene ; and if to the advantage of situation he adds that of a dispassionate observer, unconnected with either side, and uninterested in the fall or rise of either party, his opinion may be entitled to the consideration of men of similar description with himself, whether Members of either House of Parliament, or of the community at large ; and to such men only are the following thoughts addressed.

As it is my object to enable the Public to judge for themselves on the present great question of A REGENCY, and not to recommend any opinions of my own, I shall proceed to lay before them fairly, fully, and impartially, the state in which that question at present stands, and the proceedings already had thereon in the two Houses of Parliament ;
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and these will naturally divide themselves into three parts, arising from the three resolutions already entered into by the two Houses.

1st. The first step taken by both Houses was, a solemn examination of the physicians, and an enquiry into the actual state of His Majesty's health; and the consequence of such examination and enquiry was, an UNANIMOUS resolution of the Lords and Commons, that His Majesty was incapable of attending in Parliament, and of executing the duties of the Royal powers. It would be too melancholy and too affecting a task to discuss minutely the deplorable state to which it has pleased the All-wise Providence to reduce our unfortunate King; and though the anxiety of his loyal People might be gratified by the recital, humanity commands us to draw an awful veil over the dismal scene. Let it suffice us to know

from the unanimous resolutions of both Houses, that His Majesty's malady renders him totally incapable of any business: in this truth all the world are agreed, and the unanimous voice of the nation has as fully declared that the necessary consequence of such a situation was, that the defect must and ought to be immediately supplied.—A plain man unacquainted with politics has a right to ask both Houses of Parliament, why it has not been supplied; and why so much time has been allowed to elapse without an *executive power* in the kingdom? And the answer from a Minister would probably be, the wisdom of Parliament has been employed in searching for *precedents*, and settling the mode of proceeding.—A plain man would as naturally ask—Precedents! for what? Is there any instance of a similar situation to be found in the history of this kingdom? and if there be not, what can *precedents* tell you? Or is there any doubt
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or difference of opinion among you as to the person who ought to be invested with the delegated powers of Majesty, under the present circumstances?—And his wonder would be a good deal encreased by being told that there is no instance of a similar situation, with regard to father and son, to be found in the annals of Britain; and that there does not exist the slightest doubt or difference of opinion as to the person who *ought* and who *is* to be entrusted with the office of REGENT: indeed, if ever there was a question where the unanimous consent of both Houses of Parliament accorded with the voice of the Nation, it is, to use the words of Mr. Pitt, *that His Royal Highness the Prince of Wales is the onely person in the kingdom who can and ought to be sole Regent.* Under such circumstances, who would not have naturally imagined that the Prince of Wales ought immediately to have been declared REGENT? but he who easily con-

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cludes that, because the Prince ought, he therefore would be immediately declared Regent, knows little of the daring views of ambition, the violence of faction, and malevolence of party, that rage where the security of the state and prosperity of the kingdom ought to be the ruling motives. The most perfect unanimity prevails as to these two great objects, *the deplorable incapacity of the King*, and *the absolute certainty of the appointment of the Prince, his son, to administer the government in his stead*. On these two great objects all the world are agreed, nor would the Public bear a doubt. To what motives shall we then attribute the alarming delay and the furious debates that have agitated both Houses about the insignificant mode of rendering the government complete? Shall the Public, and they have a RIGHT to demand of both Houses of Parliament, attribute their delays and dissensions to their regard for the welfare of the State, or to
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the meaner views of private interest? to the enlightened caution of upright senators, or to the infamous traffic of mercenary and venal Placemen? to the influence of the guardian angel of Britain watching over the liberty, dignity, and happiness of the realm; or of the insatiable demon of ambition grappling the pillars of the Constitution, and scattering the baleful seeds of discord and sedition over a divided and ill-fated land? — Let every honest man lay his hand on his breast and answer the above questions, while I proceed with the same impartial integrity to the second part of the subject: unbiassed by faction, uninfluenced by party, I may, probably, be condemned by both for daring to speak the truth; but I defy the warmest partisan of either to charge me with falsehood, or to convict me of misrepresentation.

2d. To throw a barrel to the whale has become proverbial to illustrate the trick of
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a Minister, who, when he has a deep design against the Constitution or interest of the State, begins by throwing out an object artfully calculated to draw off the attention of the Public from the business he has in hand; and if the people fall into the snare, and are surprised into hunting after the cry, the Minister securely seizes his prey, and triumphs in the success with which he has imposed on their easy credulity.

Attempts having been lately made to raise a clamour on the subject of the second resolution, it becomes us, as honest men, to view the subject without prejudice, and impartially to decide, whether this clamour originates from a fair constitutional jealousy, or from the violent efforts of an ambitious and enterprising faction.—Mr. Fox had, in a loose debate, given it as his opinion, that the Prince of Wales, being of full age, had, as heir
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apparent to the Crown, a right to be appointed Regent of the kingdom, during the King's incapacity, and in the King's name : *but that he could not enter on the exercise of that right without the express consent, declaration, and authority of the two Houses of Parliament.* By this proviso, the rights, powers, and privileges of Parliament are as effectually secured, as by any specific resolution whatsoever : the exercise of the Prince's right, whatever it may be, being rendered dependent on the consent, declaration, and authority of that respectable body. — Mr. Pitt affirmed, on the other hand, that the Prince had no more right to be Regent than he, or any other subject in the kingdom ; but declares, *that His Royal Highness is the only person in the kingdom who can and ought to be chosen sole Regent.* Mr. Pitt may be asked, how he reconciles the Prince's having *no more right than he*, with the Prince's being the only person in the kingdom who can and ought

to be chosen Regent; for if the Prince has no right, why should he be the only person in the kingdom who can be appointed Regent?

But without entering into a minute discussion of the meaning, and various applications of the word RIGHT, I will appeal to every fair and dispassionate man, if the difference between these two gentlemen does not consist more in the terms of the expression, and the doubtful acceptance of the word RIGHT, than in any difference of opinion either as to the title of the Prince or the authority of Parliament—If the word RIGHT is to be understood as a technical term, strictly originating from an Act of Parliament, I perfectly agree with Mr. Pitt, that the Prince of Wales has no more RIGHT to the Regency than he has—But if the word RIGHT be taken in its more general and unconfined acceptance, then both Mr. Pitt and all the world agree
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with Mr. Fox that the Prince of Wales has so undoubted a right to the Regency, that he alone can and ought to be Regent. Such logical distinctions and unsubstantial forms may serve to occupy the frothy declaimer, or the wrangling barrister; but are unworthy of the attention of the cool and dispassionate public, who look with anxious expectation to the Houses of Parliament to discharge their duty by supplying the deficiency in the government of the kingdom, and nominating a Regent instead of wasting their time and gratifying their resentments in personal wrangling and verbose argumentation.

Mr. Fox's declaration as well as Mr. Pitt's had been made in the course of debate on another subject; but Mr. Pitt thought proper to bring the question of RIGHT more immediately before the House in the form of a resolution.—Mr. Fox thought the discussion unnecessary, and tending to

delay the main business by misleading the House into a field of endless intricacies ; instead of pursuing the plain road that lay before them, and urged that the declaration he recommended to them to make, of the Prince of Wales as Regent, was as full and ample an acknowledgement of their power as the voting of any abstract proposition whatsoever could be. And what honest and impartial man in the kingdom does not now approve of Mr. Fox's proposition of putting a period to the present suspension of the executive power, by nominating a Regent ? the only act to which the two Houses, in the present form of convention, are competent, and which act would have at once put an end to all the distraction and confusion that must necessarily result from a different mode of proceeding, as the Legislature would then have been rendered complete, and the Parliament might have been immediately opened, and have proceeded to business.

3d. I shall now proceed to the third part of my subject, founded on the third resolution—When the two Houses had resolved that they alone were competent to supply the defect of the executive branch, one should have naturally concluded that no further difficulty remained, and that the next step would have been to have put a period to the present Interregnum, by transferring the executive power into the hands destined to receive it.—Such a mode of proceeding might have best suited the public exigence of the state, with which it would be happy for us if the private ambition of individuals were not too frequently at variance. The competency of the two Houses being perfectly ascertained by the second resolution, a difficulty was started about the manner of exercising that right.—Mr. Fox contended that the two Houses could act only by votes, resolutions, and addresses—and that in the present incapacity of the King, it was not possible to give their proceedings

ceedings the form of law, until they had supplied the defect by creating a Regent. —Mr. Pitt contended, on the other hand, that a law could alone be binding on the Regent, that previous to putting the power into the hands of the Regent, such restrictions and limitations as the House might deem necessary ought to be enacted, and that for this purpose the royal authority ought to be *put into commission*.

Mr. Fox reprobated such a mode of proceeding as reverting to the anarchy of the reign of Charles the First, when first the two Houses of Parliament, and then one of the Houses, voted themselves competent to enact laws, a doctrine that had been condemned as unconstitutional by an express Act of Parliament passed after the Restoration. Mr. Pitt argued that this case would be different, as they were to put the King's authority into commission, and justified this measure by the King's name and authority
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still presiding in his courts, where all business was transacted, though the King's incapacity was acknowledged—Mr. Fox clearly shewed the difference between the King presiding in his Courts of Law, where he never presided otherwise than by his judges, and where the proceedings, though in the King's name, were all regulated by the common or the statute law; and in a legislating capacity in his high Court of Parliament, of which the first resolution of both Houses had already declared him incapable—Mr. Pitt pleaded the necessity of the case, and that the necessity that gave the power must limit the exercise of it.—Mr. Fox answered, that if the plea of necessity could be admitted in one instance to justify the assumption of the legislating power by the two Houses, it would hold equally good in twenty or two thousand cases, and that as the two Houses were the judges of the necessity, total confusion must ensue, and all constitutional security

security be for ever demolished — All objections were however overruled, and the resolution was carried, empowering the two Houses of Parliament *to provide the means whereby the ROYAL ASSENT may be given in PARLIAMENT to a Regency bill.* The mode of doing which was declared to be by putting the King's authority into a commission—or, in other words, forging the King's name to empower Commissioners to act for him.

The history of the long Parliament who levied war in the King's name, and by the King's authority, against the King's person, is indeed a precedent perfectly applicable to the present proceeding;—Lord Hawkebury indeed justified this mode of proceeding by another precedent, well deserving the consideration of the public, as it speaks in every part the principles of his party. It was drawn from the manner of passing the Regency Bill in the minority
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of Lewis the Fifteenth of France, when that King, then an infant, held *un lit de justice*, a bed of justice, at Paris, at which he presided in his nurse's arms, made a speech to his Parliament by his Chancellor, and gave his *Royal Assent* to the Act of Regency—but, whether by his Chancellor or his nurse, the noble Lord forgot tell to us.

But even admitting, as fully as the noble Lord could desire, the similarity of our Parliament to the Parliament of Paris, and the power of our King to that of the French Monarch ; in order to render his parallel complete, it would be requisite to produce the King in Parliament ; for even in the absolute monarchy of France, the personal presence of the King, tho' an infant in his nurse's arms, was deemed requisite to give validity to the fiction of Royal Assent ; whereas our Parliament take on themselves to declare the King present, as well as to

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give the *Royal Assent* to a bill, in the name of the KING, whom the two Houses have declared incapable of acting.

But if we compare this last resolution with the two former, we shall find it fraught with such monstrous absurdity and contradiction as must astonish the most indifferent observer—In the first resolution the King is declared incapable of appearing in Parliament, or of executing any of the royal powers. In the last he is to be rendered capable of giving the *Royal Assent, in Parliament* to a bill—In the second resolution it is declared to be the RIGHT and DUTY of the two Houses to supply the defect of the royal authority—and by the last this RIGHT is at least shared with a third power, by what name to call it I am totally at a loss, but an indelcript body, phantom, or fiction of their own creating, born by their power, an ærial representative of Majesty existing by their authority, an air-drawn vision vanishing

nishing at their command.—And yet this Being or no Being, this King or no King, this mock Majesty, this Parliamentary Impostor, is to be invested with the power of giving the Royal Assent to a Bill of Regency !

The omnipotence of Parliament has been generally allowed, but the *two Houses* have never claimed such power since the civil wars ; and with great submission to the two Houses, I humbly apprehend that they might, with equal justice and propriety, declare, that I am now in the Moon, that Mr. Pitt is heir apparent, and that my estate is the property of my Lord Chancellor, as to issue a commission, in the name of the King, who is declared *non compos*, and then to empower that commission to give the ROYAL ASSENT, in *Parliament*, to a Regency Bill.

I should likewise beg leave to state a case for the consideration of the Lord Chancellor—Suppose a gentleman had unfortunately fallen into a state of insanity, and that he had been proved a lunatic; in due form—and that this gentleman's relations, on finding that he had not made a will, should agree among themselves, to prevent the expence of a lawsuit, or for any other good reasons, to make a will and to get the unfortunate gentleman, in a lucid interval, to sign it—would my Lord Chancellor admit the act of the gentleman under such circumstances to be good and valid—or would he treat his signature as a forgery, and the parties concerned as guilty of that crime.

It is impossible to foresee events, or to know to what lengths the violence of parties may be carried—But as it is easy to judge in what light a future Parliament will consider the present proceedings of the

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two Houses—and in what a situation the principal actors will stand, when no longer supported by a majority.

If ever there was a period in our history when a violent shock was threatened to the Constitution, it is at the present awful and interesting moment ; for in the supporting and keeping distinct the clearly-established prerogatives of the three branches of the Legislature consisted the safety of the state, the security of our property, and the protection of our persons—But the moment that the barriers of the Constitution are broken down, and one or two branches of the Legislature usurp on the third, it is impossible for the wisest man to say where the mischief may stop, or what the consequences may be.—A door is opened for confusion, injustice and anarchy, and a precedent is established by which any sort of violence or usurpation may be justified—After so dangerous a precedent, should we be surprised

surprised to see a future Parliament, or rather a powerful faction in a future Parliament, arrogate to themselves the dispensation of justice, and the disposal of private property? should we be surprised to see arbitrary fines and imprisonment inflicted for imaginary crimes—should we be surprised to see a State Inquisition, a Court of High Commission, and a Star Chamber erected in the place of our Courts of Justice?—For at what moment were there ever less grounds for the tyrant's plea of necessity? Let Mr. Pitt stand forward and tell an insulted people and a degraded Prince how he presumes to arrogate to himself and his colleagues the exercise of the Kingly power and the forgery of the great seal.

Mark Antony only *offered* a Crown to Cæsar, which he prudently refused, tho' he had conquered Rome and won it by arms; but Mr. Pitt with more daring ambition *tramples* on every thing sacred in

our Constitution, and boldly sets the Crown on his own head—It is in vain that he may say that he means, after a short exercise of the Kingly power, to present it to the true and lawful owner. If he can exercise Kingly power in one instance, he may in a thousand, tho' prudence may dictate to begin by a short experiment.

If necessity can justify the present usurpation, it can justify any future assumption of the Royal authority, whenever an ambitious Minister, supported by a mercenary faction, can prevail in Parliament—What necessity exists at this moment but the necessity of restoring the Constitution and of supplying the defect of the Third Estate? and can this necessity justify the violent, the factious measures now pursuing to overturn the Constitution, to wrest the legal powers of the Crown from their true direction, and to gratify Mr. Pitt's ambition by raising him over the Prince
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of Wales and over the Regent, who is to wield a wooden septre, a dagger of lath, that Mr. Pitt chooses to put into his hand?

If Mr. Pitt succeeds in dividing the Royal powers, and giving a portion of them only to the Prince, I ask every man in the kingdom, in what light such a mutilated power must appear to the rival nations of Europe? Could such a Regent support your interests abroad, or command respect from foreign Kings? No! they must despise the empty menace of such a representative of Majesty, and treat his remonstrances with derision—Your dominions, your fleets, your trade must be exposed to the daily and imminent danger of attack; and to whom can you, in such a case, look up for protection? not to the Regent surely, whom you have degraded, and who has not the power to protect himself from insult. Humbled in the scale of Europe, despised among foreign nations.

tions, exposed to contempt, which may most probably draw you into a foreign war : would the situation of Government at home, under such a Regent, be attended with fewer dangers and inconveniences ? Do you wish to see the days of York and Lancaster, and the bloody contests of ferocious ambition, revived within the kingdom ? Of all the curses that ever befel an ill-fated land, a weak and distracted Government is the greatest ; and you are this moment on the brink of being plunged into that dreadful situation.

The Royal powers and prerogatives are entrusted to a King, not for his own private benefit, but for the good of the People, and to enable him to preserve the balance of the Constitution : the name of King, or Regent, or Protector, are indifferent to the People ; but whoever is Chief Magistrate for the time, must be possessed of all the powers annexed to that

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office, or the balance is destroyed, and all the dangers and inconveniencies of a weak and distracted Government, both at home and abroad, must be the consequence.

I would ask any honest man, if the patronage of the Crown has been found too great during the present and the two last reigns, with Kings firmly established on the throne, to carry on the business of the Nation? and what the consequences must have been, if, during the ministry of Sir Robert Walpole for example, the two Houses of Parliament had voted that his opponent, Mr. Pulteney, should have the power and patronage over the King's Household, from the Lords of the Bedchamber downwards—besides the appointment to all places, offices, and employments, necessary for the managing and directing the real and personal property of the King? And if, in addition to the above partition of power, the two Houses had shackled the
royal

royal prerogative by suspending the King's power of creating Peers ; I again ask any honest and fair man, if the two Houses would not have subverted the Constitution, and have destroyed the strength, dignity, and efficacy of Government ?

But if those conclusions hold good in the case of a *King*, they must apply much more strongly to that of a *Regent*, whose government must be naturally weaker than that of a King—If then it would be impossible for a King, with such powers, to carry on the Government of the Country ; in what a situation must it be, in the hands of a weaker and less efficient Chief Magistrate, a Regent ?

If the two Houses should agree with Mr. Pitt's propositions for suspending certain branches of the Royal Prerogative, and of setting up a FOURTH ESTATE, by dividing the patronage of the Crown between the

Regent and the Queen ; the situation of the country must be deplorable ; and I do not hesitate to say, that it would be much better to appoint the Queen sole Regent, at once, and preserve the powers and Prerogatives of the Crown entire.

The keeping of the Royal person ought undoubtedly to be assigned to the Queen ; the preservation of the Royal treasures should be effectually provided for, until it may be hereafter clearly ascertained to whom they legally and rightfully belong. But every power and prerogative of the Crown ought to be conferred on the Regent, who is to be entrusted with the execution of the Government and the defence of the State—Those powers being originally given and constantly continued for the good of the people, and not the private advantage of the King, in order to preserve the internal peace of the country by suppressing faction, and the daring cabals of a
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powerful party ; and to give dignity and efficiency to the Chief Magistrate in his transactions with foreign potentates, and rival Kings.

Whether the two Houses of Parliament be competent to parcel out certain powers of the Crown at their own discretion, and as may suit their own private advantage, and absolutely to suspend others, will be universally admitted to be a subject of no small doubt : and if the two Houses be competent to such acts, it is then well deserving the serious consideration of every well-meaning man, to what purposes the precedents furnished by the present proceedings may not be applied.

It is full time that a period were put to the unsettled and distracted state of the country. It is now almost two months and a half since His Majesty's incapacity could be no longer concealed ; during which
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time Mr. Pitt and his colleagues have held the reins of the executive Government for their own private emolument and advantage; and from this artful mode of proceeding, and their studied arts of procrastination, by introducing abstract questions to divide and distract the attention of the public; they seem extremely reluctant to quit a situation of so unexampled pre-eminence, and from which I may venture an opinion that the voice of the nation, and the indignation of the people, will at last drive them with scorn.

But during all this period has not Mr. Pitt been sacrificing the interests of the State and the public security to his own private views and the interests of his friends? for a total stop has been put to all the great national objects where the King's capacity was requisite, both at home and abroad.

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At home all executive government has been suspended, and a total stop put to all public business through every department; to the great loss and inconvenience of many individuals: but from abroad, the dangers that necessarily result from such a state are much more important and alarming.

From the treaties entered into last autumn with Prussia and Holland, we have the strongest prospect of being involved, in the spring, in a foreign war. The negotiations now carrying on, during the intermission of hostilities, in Poland, Russia, and Germany, as well as in Prussia, Sweden, and Denmark, might, with the management of a respectable and efficient Government, directed by an able and active Minister, have been so conducted, as to secure the objects that Great Britain is pledged to, without embroiling us in a war. But this precious opportunity has
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been irretrievably lost, all communication stopt, and the power and influence of Great Britain, at so important a time, entirely lost, both to ourselves and our allies, by Mr. Pitt's obstinacy in retaining in his hands a power which he cannot execute for the good of the Nation.

What the consequences of such a conduct, and of such a total inattention to the Public concerns may be, God only knows; but how much has that Minister to answer for, who has retained the kingdom in a state of inactivity, and lost an opportunity never to be recovered, of providing for the safety of the State?

Whenever a Regent shall be appointed, what a weight of public business awaits his entering on the Government!—three months correspondence from the states and powers I have mentioned above; without adverting to Turkey, France, and Spain, whose

whose relative situations with respect to us, as well as to the other states of Europe, must furnish a variety of reflections to every thinking and judicious man.

After a general survey of the present state of Europe, and the manner we stand connected with the different powers thereof, let every man who prefers the good of the kingdom to the factious views of any political party, declare if this be a time for Great Britain to be deprived of an executive Government; and consider what a figure a Regent, with a distracted and weak Government at home, and without weight or consequence, is likely to make, when he comes to support your interests against rival nations, and to treat with Princes of so different a description.

The situation of IRELAND would alone furnish a thousand arguments against the propriety of every measure that the Mi-

nister has proposed—but prudence commands me to leave them to the suggestion of each man's mind, and though it would greatly tend to demonstrate the unanswerable absurdity of a *divided Regency*, or a *weak and ineffective Government*, I shall rather forego the advantage I might derive from the discussion, than touch lightly on a subject big with matter and full of danger.

T H E E N D.



